

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 262
98TH GENERAL ASSEMBLY

0929H.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to the treatment of eating disorders.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 376, RSMo, is amended by adding thereto one new section, to be
2 known as section 376.845, to read as follows:

376.845. 1. For the purposes of this section, the following terms shall mean:

2 **(1) "Eating disorder", pica, rumination disorder, avoidant/restrictive food intake**
3 **disorder, anorexia nervosa, bulimia nervosa, binge eating disorder, eating disorders not**
4 **otherwise specified, and any other severe eating disorder contained in the most recent**
5 **version of the Diagnostic and Statistical Manual of Mental Disorders published by the**
6 **American Psychiatric Association where diagnosed by a licensed physician, licensed**
7 **psychiatrist, licensed psychologist, licensed clinical social worker, licensed marital and**
8 **family therapist, or licensed professional counselor duly licensed in the state where he or**
9 **she practices and acting within their applicable scope of practice in the state where he or**
10 **she practices;**

11 **(2) "Health benefit plan", the same meaning as such term is defined in section**
12 **376.1350; however, for purposes of this section, "health benefit plan" does not include a**
13 **supplemental insurance policy, including a life care contract, accident-only policy, specified**
14 **disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement**
15 **policy, long-term care policy, short-term major medical policy of six months or less**
16 **duration, or any other supplemental policy;**

17 **(3) "Health carrier", the same meaning as such term is defined in section 376.1350;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (4) "Medical care", health care services needed to diagnose, prevent, treat, cure,
19 or relieve physical manifestations of an eating disorder, and shall include inpatient
20 hospitalization, partial hospitalization, residential care, intensive outpatient treatment,
21 follow-up outpatient care and counseling;

22 (5) "Pharmacy care", medications prescribed by a licensed physician for an eating
23 disorder and includes any health-related services deemed medically necessary to determine
24 the need or effectiveness of the medications, but only to the extent that such medications
25 are included in the insured's health benefit plan;

26 (6) "Psychiatric care" and "psychological care", direct or consultative services
27 provided during inpatient hospitalization, partial hospitalization, residential care, intensive
28 outpatient treatment, follow-up outpatient care, and counseling provided by a psychiatrist
29 or psychologist licensed in the state of practice;

30 (7) "Therapy", medical care and behavioral interventions provided by a duly
31 licensed physician, psychiatrist, psychologist, professional counselor, licensed clinical social
32 worker, or family marriage therapist where said person is licensed or registered in the
33 states where he or she practices;

34 (8) "Treatment of eating disorders", therapy provided by a licensed treating
35 physician, licensed psychiatrist, licensed psychologist, licensed professional counselor,
36 licensed clinical social worker, or licensed marital and family therapist pursuant to the
37 powers granted under such licensed physician's, licensed psychiatrist's, licensed
38 psychologist's, licensed professional counselor's, licensed clinical social worker's, or
39 licensed marital and family therapist's license in the state where he or she practices for an
40 individual diagnosed with an eating disorder.

41 2. In accordance with the provisions of section 376.1550, all health benefit plans
42 that are delivered, issued for delivery, continued or renewed on or after January 1, 2017,
43 if written inside the state of Missouri, or written outside the state of Missouri but covering
44 Missouri residents, shall provide coverage for the diagnosis and treatment of eating
45 disorders as required in section 376.1550.

46 3. Coverage provided under this section is limited to medically necessary treatment
47 that is provided by a licensed treating physician, licensed psychiatrist, licensed
48 psychologist, licensed professional counselor, licensed clinical social worker, or licensed
49 marital and family therapist pursuant to the powers granted under such licensed
50 physician's, psychiatrist's, psychologist's, professional counselor's, clinical social worker's,
51 or licensed marital and family therapist's license and acting within their applicable scope
52 of coverage, in accordance with a treatment plan.

53 **4. The treatment plan, upon request by the health benefit plan or health carrier,**
54 **shall include all elements necessary for the health benefit plan or health carrier to pay**
55 **claims. Such elements include, but are not limited to, a diagnosis, proposed treatment by**
56 **type, frequency and duration of treatment, and goals.**

57 **5. Coverage of the treatment of eating disorders may be subject to other general**
58 **exclusions and limitations of the contract or benefit plan not in conflict with the provisions**
59 **of this section, such as coordination of benefits, and utilization review of health care**
60 **services, which includes reviews of medical necessity and care management. Medical**
61 **necessity determinations and care management for the treatment of eating disorders shall**
62 **consider the overall medical and mental health needs of the individual with an eating**
63 **disorder, shall not be based solely on weight, and shall take into consideration the most**
64 **recent Practice Guideline for the Treatment of Patients with Eating Disorders adopted by**
65 **the American Psychiatric Association in addition to current standards based upon the**
66 **medical literature generally recognized as authoritative in the medical community.**

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